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TO: Commissioner for Patents  
FAX NO.: 703-872-9306  
FROM: Steven M. Hertzberg, Esq.  
DATE: April 23, 2004  
MATTER: Serial No. 09/458,319 Filed: December 10, 1999  
DOCKET NO.: DIVA/043  
APPLICANT: Smyth, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Transmittal Letter (2 copies)
<input type="checkbox"/> Disclosure Statement & PTO-1449	<input type="checkbox"/> Fee Transmittal (2 copies)
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<input type="checkbox"/> Drawings (____ sheets) informal	<input checked="" type="checkbox"/> Facsimile Transmission Certificate
<input checked="" type="checkbox"/> Response under 37 CFR §1.121 with amended claims sheets	dated <u>4/23/04</u>

## CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

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Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 4/23/04,  
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PTO/SB/21 (08-00)

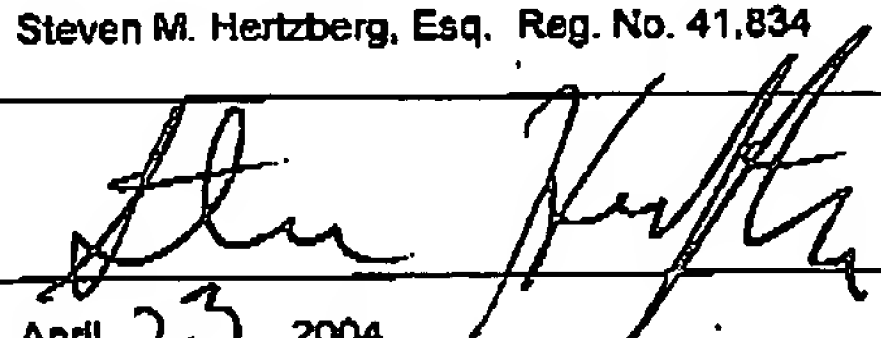
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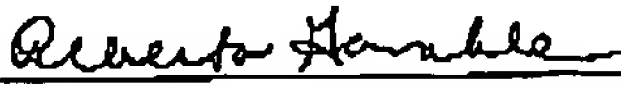
<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/458,319	
	Filing Date	December 10, 1999	
	First Named Inventor	Smyth	
	Group Art Unit	2611	
	Examiner Name	Raman, Usha	
Total Number of Pages in This Submission	16	Attorney Docket Number	DIVA/043

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response to Notice of Non-Compliant Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) (3 sheets) (1 sheet annotated in red ink) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile transmission
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Steven M. Hertzberg, Esq. Reg. No. 41,834	
Signature		
Date	April 23, 2004	

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